

REMARKS

Claims 2, 4, 5 and 11 are pending in the present application. Claims 2, 4, 5 and 11 have been amended. Claims 1, 3 and 6-10 have been canceled.

Priority Under 35 U.S.C. 119

Applicant respectfully notes the Examiner's acknowledgment of the Claim for Priority under 35 U.S.C. 119.

A certified copy of Japanese Priority Application No. 2003-344056 has been filed concurrently herewith. **The Examiner is respectfully requested to acknowledge receipt of the certified copy of the Japanese Priority Application, and to confirm that the Claim for Priority under 35 U.S.C. 119 is complete.**

Drawings

Applicant notes the Examiner's acceptance of the drawings as filed along with the present application on January 22, 2004.

Claim Rejections-35 U.S.C. 102

Claims 1, 3 and 10 have been rejected under 35 U.S.C. 102(b) as being anticipated by the Quek et al. reference (U.S. Patent No. 6,417,056).

Claim Rejections-35 U.S.C. 103

Claims 6 and 7 have been rejected under 35 U.S.C. 103(a) as being unpatentable over the Quek et al. reference in view of the Wolf et al. reference (Silicon Processing for the VLSI Era, Vol. 1: Process Technology). Claim 8 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the Quek et al. reference in view of the Akasaka et al. reference (U.S. Patent No. 6,893,980). Claim 9 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the Quek et al. reference in view of the Besser et al. reference (U.S. Patent No. 6,372,673).

Allowable Subject Matter

Applicant notes the Examiner's acknowledgment that claims 2, 4, 5 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Claims 2, 4, 5 and 11 have been amended in view of the acknowledgment of allowable subject matter, merely to advance prosecution of this application. The Examiner is therefore respectfully requested to acknowledge that claims 2, 4, 5 and 11 are allowed.

Conclusion

As noted above, claims 2, 4, 5 and 11 have been amended merely to be in independent form in view of the acknowledgement of allowable subject matter, rather

than to further distinguish over any of the relied upon prior art. Accordingly, the amendments to claims 2, 4, 5 and 11 should not be construed as narrowing scope within the meaning of *Festo*.

The Examiner is respectfully requested to reconsider and withdraw the corresponding rejections, and to pass the claims of the present application to issue, for at least the above reasons.

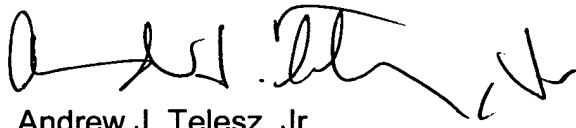
In the event that there are any outstanding matters remaining in the present application, please contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (571) 283-0720 in the Washington, D.C. area, to discuss these matters.

Pursuant to the provisions of 37 C.F.R. 1.17 and 1.136(a), the Applicant hereby petitions for an extension of one (1) month to December 4, 2005, for the period in which to file a response to the outstanding Office Action. The required fee of \$120.00 should be charged to Deposit Account No. 50-0238.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0238.

Respectfully submitted,

VOLENTINE FRANCOS & WHITT, P.L.L.C.

A handwritten signature in black ink, appearing to read 'Andrew J. Telesz, Jr.', with a stylized flourish at the end.

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